

**THE MINUTES  
FOR THE JULY 17, 2012  
MEETING OF THE BOARD OF TRUSTEES  
OF THE INCORPORATED VILLAGE OF NORTHPORT  
MEETING AT 6:00 P.M.**

Present: Mayor Doll, Trustees Kehoe, Maline, McMullen and Tobin, Village Clerk Donna Koch, Village Administrator Gene Guido, Chief Bruckenthal.

**ANNOUNCEMENTS:**

**PRESENTATIONS:**

**PUBLIC HEARINGS:**

Mayor Doll asked the Clerk to read the notice of public hearing to wit:

**PLEASE TAKE NOTICE:** that a Public Hearing of the Village Board of Trustees will be held at the Village Hall, 224 Main Street, Northport, New York at 6:00 o'clock in the evening of the 17<sup>th</sup> day of July, 2012, to consider the following proposed local law:

**LOCAL LAW No. 2 OF 2012  
A LOCAL LAW OF  
THE VILLAGE OF NORTHPORT  
TO AMEND THE CODE OF THE VILLAGE OF NORTHPORT  
TO DELETE IN ITS ENTIRETY CHAPTER 264 SWIMMING POOLS**

BE IT ENACTED: By the Board of Trustees of the Village of Northport as follows:

**Section 1. Legislative Intent**

The Board of Trustees finds that the New York State Building Code, which is in full force and effect in the Incorporated Village of Northport, includes regulations regarding pool enclosure requirements that provide protection to the public equal to or greater than Chapter 264 of the Village Code. Furthermore, the Board finds that the Village is required to adhere to the State Building Code unless unique local conditions can be demonstrated to justify deviations from the State Building Code. Based upon the fact that the pool enclosure requirements set forth in the State Code are sufficient to provide protection to the public, the Board finds that there are no grounds to deviate from the State Building Code.

**Section 2. Statutory Authority**

This Local Law is adopted pursuant to New York State Village Law and Municipal Home Rule Law.

### **Section 3. Applicability**

The provisions of this Local Law shall apply to all properties located within the territorial limits of the Incorporated Village of Northport.

### **Section 4. Amendments**

Chapter 264 SWIMMING POOLS is hereby deleted in its entirety.

### **Section 5. SEQRA**

The Board of Trustees has determined that pursuant to §617.5(c) 20 and 27 of the SEQRA regulations this action of the Village of Northport is "routine or continuing agency administration and management, not including new programs or major reordering of priorities" and "adoption of regulations, policies, procedures and local legislative decisions in connection with any Type II action . . ." and therefore, the proposed action of the Village of Northport in this matter is a Type II action and requires no further action pursuant to SEQRA.

### **Section 6. Effective Date**

This local law shall take effect immediately upon filing in the Office of the Secretary of State.

On the motion of Trustee Tobin and seconded by Trustee Maline the Public hearing was opened.

Mayor Doll explained that the Village Code on swimming pools has not been updated since 1996 and that the New York State code has been updated and demands alarms and other restrictions on pools so the Village is replacing our code with the New York State Code which is more up to date.

Trustee Tobin stated he fully supports this and feels it takes care of our safety concerns and has the benefit of being uniform with other municipalities and should make it less confusing for the people in the Village. Trustees Tobin's one concern was if we delete the chapter entirely what would show in our code book. He felt that a small blurb stating that there was a chapter 264 "Swimming Pools" but it was omitted and replaced with the NYS code.

On the motion of Trustee Kehoe and seconded by Trustee McMullen the public hearing was closed.

### **PUBLIC COMMENT:**

Don McKay representing the Wounded Warriors race committee went over the race

course with the Board: the race will start at Crab Meadow Beach run up Waterside to Norwood then to Stone up to Nautilus, then Ocean to Eatons Neck Rd back down to Waterside back to the beach. They expect to have the roads closed for one hour and will reopen them as the last runner goes through. The committee will notify all effective homeowners and post signs. Chief Bruckenthal stated the department was on board and had no issues with the route.

Effie Huber thanked the ladies in the Clerk's office for their assistance with distributing the flags.

#### **BOARD APPROVAL OF WARRANT:**

On the motion of Trustee McMullen and seconded by Trustee Kehoe the following bills were approved for payment.

**Fiscal Year 2012/2013 General Fund bills in the amount of \$107,909.24**

The following bill was for information only as it is a contractual payment.

**Fiscal Year 2012/2013 LOSAP payment in the amount of \$ 115,698.00**

On the motion of Trustee Maline and seconded by Trustee McMullen the following bills were approved for payment

**Fiscal Year 2012/2013 Sewer Fund bills in the amount of \$ 4,633.03**

#### **COMMISSIONER'S REPORTS:**

Trustee Maline reported that he had executive session personnel issues to discuss.

Village Park has been replaced, no rot was found on the undercarriage. Stating Monday the 23<sup>rd</sup> for three consecutive weeks there will be high school bands performing in the gazebo on Monday nights.

Trustee Tobin reported the sewer rent bills are being updating and is on track to go out the beginning of October. As far as informational insert one idea was to inform the public as to the disposal of prescription drugs.

Trustee Kehoe reported Tuesday Night Happenings is on schedule to begin the first Tuesday in August. Trustee Kehoe commended Dave Ambro and the Police Department for working together on a safe boating issue in the Observer.

Mayor Doll reported new ladders were built for the dock. LIPA has come in and trimmed several tree. The jet-vac has been out. The Scudder Beach floats have been repaired.

**ADMINISTRATOR'S REPORT:** Mr. Guido reported the plans for the sewer plant are nearing completion.

**CHIEF OF POLICE REPORT:** The Chief reported that there were some hazards of navigation and some derelict boats that were removed with the help of the highway department. Concerning the boating tragedy that occurred in Oyster Bay the chief described the scene of when the fireworks are done the boat traffic is like "rats fleeing a sinking ship". The Chief was concerned and suggested that next year the entire bay be made a no wake zone after the Fourth of July fireworks.

**NEW BUSINESS:** Effie Huber stated the drains at 22 Bluff Point Rd. were not working. Mr. Guido will look into this.

Trustee Kehoe stated that he has spoken to Village Attorney Jim Matthews and asked if maybe the chairman of the Zoning and Planning Boards could attend a Village Board meeting to explain how the different Boards function.

**OLD BUSINESS:** no old business.

**CORRESPONDENCE:** no correspondence

**REQUESTS:** no request

**RESOLUTIONS:**

On the motion of Trustee Tobin and seconded by Trustee McMullen with Trustee Maline abstaining, the following resolution was approved.

**RESOLUTION 2012- 87 ~ APPROVAL OF THE JUNE 5, 2012 MINUTES**

**WHEREAS:** Copies of the minutes of the June 5, 2012, meeting were sent to the Board for approval, therefore,

**BE IT RESOLVED** that said minutes are approved without reading, at this time.

On the motion of Trustee Kehoe and seconded by Trustee Maline the following resolution was unanimously approved.

**RESOLUTION 2012- 88 ~ APPROVAL OF THE JUNE 19, 2012 MINUTES**

**WHEREAS:** Copies of the minutes of the June 19, 2012, meeting were sent to the Board for approval, therefore,

**BE IT RESOLVED** that said minutes are approved without reading, at this time.

On the motion of Trustee McMullen and seconded by Trustee Kehoe the following resolution was unanimously approved.

**RESOLUTION 2012 - 89 ~PROPOSED LOCAL LAW No. 2 OF 2012**

**WHEREAS:** a Public Hearing of the Village Board of Trustees was held at the Village Hall, 224 Main Street, Northport, New York at 6:00 o'clock in the evening of the 17<sup>th</sup> day of July, 2012, to consider the following proposed local law:

**LOCAL LAW No. 2 OF 2012  
A LOCAL LAW OF  
THE VILLAGE OF NORTHPORT  
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On the motion of Trustee Maline and seconded by Trustee McMullen the following resolution was unanimously approved.

**RESOLUTION 2012- 90 ~ SEASONAL EMPLOYMENT**

**BE IT RESOLVED:** that the seasonal applicants recommended by the Village Clerk and

the Village Administrator are hereby approved.

+ prior employee

\* Village resident

**HIGHWAY DEPT:**

Dan Tizio

\$12.00/hr (effective June 25, 2012)

On the motion of Trustee Maline and seconded by Trustee McMullen the following resolution was unanimously approved.

**RESOLUTION 2012- 91 ~ BOND REDUCTION**

**WHEREAS:** In a letter dated June 19, 2012 Pat Glennon requested that the current reduced amount of \$222,880 cash bond, for Gemport (Site Plan #66) at 240 Fort Salonga Road, be reduced by \$165,880.00, and

**WHEREAS:** The June 22, 2012 report, from the Village Administrator, states that the improvements are more than 90% complete, and

**WHEREAS:** The report recommends that \$57,000 be retained until completion and approval of the uncompleted improvements and release by the "Board of Trustees", now therefore

**BE IT RESOLVED:** That the Planning Board approves a current bond reduction in the amount of \$165,880 and retains \$57,000 as bond for the uncompleted work, and

**BE IT FURTHER RESOLVED:** That Planning Board recommends to the Board of Trustees that they adopt a resolution approving the bond reduction by \$165,880.00 and the balance of the bond to be retained in the amount of \$57,000.

On the motion of Trustee Maline and seconded by Trustee McMullen the following resolution was unanimously approved.

**RESOLUTION 2012-92 ASHAROKEN FIRE AGREEMENT**

**BE IT RESOLVED:** The Mayor is hereby authorized to execute an agreement between the Incorporated Village of Asharoken and the Incorporated Village of Northport to provide fire protection services for the calendar year 2011, 2012, on terms set forth in the contract draft annexed hereto.

The next regular meeting of the Board of Trustees will be on August 14, 2012 at 5:00 p.m.

On the motion of Trustee Maline and seconded by Trustee Tobin the Board moved into executive session. 6:45 PM

On the motion of Trustee McMullen and seconded by Trustee Kehoe the Board moved out of executive session 7:10 PM.

On the motion of Trustee McMullen and seconded by Trustee Kehoe the following bills were approved for payment

**Fiscal Year 2012/2013 Fire Department bills in the amount of \$22,414.84**

On the motion of Trustee McMullen and seconded by Trustee Maline the Board moved into executive session 7:11 PM.

On the motion of Trustee McMullen and seconded by Trustee Maline the Board moved out of executive session 8:00PM.

**A RESOLUTION FOR AN EXECUTIVE SESSION:** if necessary, for personnel and/or litigation matters.

Meeting adjourned: 8:10 PM  
Respectfully submitted,

Donna M. Koch  
Village Clerk

